

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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ABDULKADIR A.,

Case No. 18-CV-2353 (NEB/HB)

Petitioner,

v.

ORDER ACCEPTING REPORT AND  
RECOMMENDATION

JEFFERSON BEAUREGARD SESSIONS  
III, Attorney General; KIRSTJEN  
NIELSEN, Secretary, Department of  
Homeland Security; RONALD D.  
VITIELLO, Acting Director, Immigration  
and Customs Enforcement; PETER  
BERG, Director, St. Paul Field Office,  
Immigration and Customs Enforcement;  
JOEL BROTT, Sheriff, Sherburne County;  
and BRIAN FRANK, Sherburne County  
Jail Administrator,

Respondents.

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The Court has received the November 13, 2018 Report and Recommendation of United States Magistrate Judge Hildy Bowbeer. [ECF No. 16.] No party has objected to that Report and Recommendation, and the Court therefore reviews it for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all the files, records, and proceedings in the above-captioned matter, IT IS HEREBY ORDERED THAT:

1. The Report and Recommendation [ECF No. 16] is ACCEPTED;

2. The Petition for Habeas Corpus Pursuant to 28 U.S.C. § 2241 [ECF No. 1] is GRANTED IN PART and DENIED IN PART, as follows:

- a. An immigration judge must provide Petitioner with a bond hearing within thirty days of this order. At the bond hearing, the immigration judge must make an individualized determination regarding whether detention is necessary to protect the community or to prevent Petitioner from fleeing; and
- b. Petitioner's request for immediate release is DENIED.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: January 15, 2019

BY THE COURT:

s/Nancy E. Brasel  
Nancy E. Brasel  
United States District Judge